DOCUMENT RESUME

ED 175 232 EC 121 569

AUTHOR	Blaschke, Charles L.
TITLE	Case Study of the Implementation of P.L. 94-142. Executive Summary.
INSTITUTION	Education Turnkey Systems, Inc., Washington, D.C.
SPONS AGENCY	Bureau of Education for the Handicapped (DHEW/OE), Washington, D.C.
PUB DATE	31 May 79
CONTRACT	300-77-0528
NOTE	66p.: For related information, see EC 121 570-572
EDRS PRICE	MF01/PC03 Plus Postage.
DESCRIPTORS	*Compliance (Legal): Due Process: *Educational Administration: Elementary Secondary Education: Exceptional Child Research: *Federal Legislation: *Handicapped Children: Identification: Individualized Programs: Parent Participation: Research Methodology: *State Programs: Student Evaluation: Student Placement
IDENTIFIERS	*Education for All Handicapped Children Act

ABSTRACT

Presented are the findings of a study to identify, analyze, and explain activities and consequences in nine local education agencies (LEAs) in three states as they implemented the major provisions of P.L. 94-142, the Education for All Handicapped Children Act. Section I summarizes the background of the study and its major objectives. In Section II, the case study methodology is described. Section III addresses the nature and extent of the major consequences which arose during 2 school years of observation. Also identified are relevant changes in LEA organization, staff role behaviors, and attitudes which have occurred. Findings are reported for the following areas: childfind, assessment, placement, individualized education program, least restrictive environment, and parent involvement/due process. Among conclusions listed in a final section is that in all three states, the leadership role of the state education agency and the states' interpretations, policies, and procedures significantly influenced LEA procedures in implementing the provisions of the law. Appended materials include a conceptual model for assessing the implementation of P.L. 94-142, a summary of information gathering, and a description of the special education process. (SBH)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

ED175232

U.S. DEPARTMENT OF HEALTH,
EDUCATION & WELFARE
NATIONAL INSTITUTE OF
EDUCATION

THIS DOCUMENT HAS BEEN REPRODUCED EXACTLY AS RECEIVED FROM THE PERSON OR ORGANIZATION ORIGINATING IT. POINTS OF VIEW OR OPINIONS STATED DO NOT NECESSARILY REPRESENT OFFICIAL NATIONAL INSTITUTE OF EDUCATION POSITION OR POLICY

EXECUTIVE SUMMARY

CONTRACT NO. 300-77-0528

CASE STUDY OF THE IMPLEMENTATION OF P.L. 94-142

CHARLES L. BLASCHKE
PRINCIPAL INVESTIGATOR

WASHINGTON, D.C.

MAY 31, 1979

The research reported herein was performed pursuant to a contract with the Office of Education, U.S. Department of Health, Education, and Welfare. Contractors undertaking such projects under Government sponsorship are encouraged to express freely their professional judgment in the conduct of the project. Points of view or opinions stated do not, therefore, necessarily represent official Office of Education position or policy.

EDUCATION TURNKEY SYSTEMS INC

1030 FIFTEENTH STREET, N. W.
WASHINGTON, D. C. 20005

U.S. DEPARTMENT OF
HEALTH, EDUCATION, AND WELFARE
Office of Education
Bureau of Education for the Handicapped

EC121569

TABLE OF CONTENTS

Section	Page
Preface	
Acknowledgements	
Executive Summary	
Highlights of Findings	1
I. Purpose of the Study	2
II. Methodology	3
A Model of Implementation	3
State and Site Selection	4
Data Collection	5
Data Synthesis and Analysis	6
III. Findings	7
Childfind	7
Assessment	9
Placement	11
Individualized Education Program	13
Least Restrictive Environment	16
Parent Involvement/Due Process	20
IV. Closing Comments	25
Appendix A. A Conceptual Model for Assessing the Implementation of P.L. 94-142	
Appendix B. Summary of Information Gathering	
Appendix C. Description of Special Education Process	

PREFACE

In October 1977, the Bureau of Education for the Handicapped contracted with Education TURNKEY Systems, Inc. to conduct a series of case studies of the consequences of the implementation of P.L. 94-142. During the period November 1977 to April 1979, information was gathered in nine local education agencies located in three states. The findings from this study are presented in this Executive Summary.

The Summary is organized as follows. In Section I, we summarize the background of the study and its major objectives; then, in Section II, the case study methodology is described. The conceptual model, used for assessing the implementation process and the information gathering activities, are described in more detail in Appendices A and B, respectively. In Section III, we describe the nature and extent of the major consequences which arose during the two school years of observation. We also identify relevant changes in local education agency organization, staff role behaviors, and attitudes which have occurred. Appendix C contains a detailed description of the overall special education process. In Section IV, we comment on the major findings which we observed across all sites.

While the case study methodology, as applied in a limited number of sites, has inherent limitations as to generalizability, we believe the strength of the evidence supporting these findings is indicative of the national impact of P.L. 94-142 upon most districts across the country.

ACKNOWLEDGEMENTS

The case study methodology, increasingly being used to assess the implementation of Federal legislation, is very demanding of those conducting the study, as well as the participants. Project staff must have a thorough understanding of the study objectives and parameters. Objectivity must always be maintained. Although sensitivity must be keen, empathy with participants must be minimal. Information gathering must be focused; data aggregation and disaggregation must be extremely methodical. For participants, the burden goes far beyond the time-consuming nature of information gathering as such a study constantly presents risks to anonymity and confidentiality. That this study was conducted on schedule, without major problems, attests to the professionalism exhibited by both the project staff and the participating LEA and SEA staffs.

The major information gathering coordination and raw data analysis responsibilities were placed upon the TURNKEY state coordinators, Alfred Morin, Barbara Norton, and Reynold Stimart, following a conceptual model for assessing the implementation process, developed initially by Janet Simons. Field staff, who conducted day-to-day information gathering activities, were extremely diligent, responsive, and highly professional. Analyses of the data, at various levels of aggregation, was conducted primarily by Mr. Stimart, with assistance from the other project staff. Blair Curry was responsible for final report preparation. The professionalism exhibited by staff throughout the study is surpassed only by their dedication to its objectives in portraying a realistic picture of the implementation process of this extremely sensitive and unique piece of Federal aid-to-education legislation.

Throughout the study, constructive criticism and guidance were provided by Dr. Garry McDaniels and Dr. Mary Kennedy, who directed the overall Bureau of Education for the Handicapped evalution strategy, which included this specific study. Particular acknowledgement and appreciation is expressed to the Project Officer, Dr. Louis Danielson, who was extremely responsive to the project needs, while contributing substantively to project reports in a timely and professional manner.

Mere acknowledgement in no way can express our appreciation to those LEA and SEA officials who participated in this study. Without their cooperation, assistance, and support, this study could never have occurred and these findings would not have been made available to the public.

Charles L. Blaschke
Principal Investigator

CASE STUDY OF THE IMPLEMENTATION
of P.L. 94-142

HIGHLIGHTS OF FINDINGS

The purpose of the Case Study of the implementation of P.L. 94-142 was to identify, analyze and explain activities and consequences in nine LEAs in three states as they implemented the major provisions of the Law. The major findings of the study are highlighted below:

- In all sites, major activities were initiated in response to the Federal mandate; indeed, never have so many local and state agencies done so much with so few Federal dollars to implement a Federal education mandate.

- The extent to which the major provisions of the Law have been implemented in the local education agencies (LEAs) varied among rural, urban and suburban settings; this variation can be attributed to the degree to which "mechanisms" were being developed or were "in-place" prior to the passage of P.L. 94-142. In suburban districts, most mechanisms had only to be refined. In rural districts, most had to be developed with inadequate resources. In urban sites, most difficulties related to the bureaucratic structure of large districts.

- The specific procedures used to implement the major provisions varied less within states than between states. In two states, within-state uniformity can be attributed to state education agency (SEA) leadership in developing state regulations and standardized reporting and monitoring procedures. In the third state, state regulations and Federal monitoring of another civil rights law influenced LEA procedures.

- In all sites, paperwork and staff time devoted to special education processing increased due, in part, to the Law itself and to SEA and LEA interpretations. Reflected in guidelines and procedures, these interpretations were, in most cases, more prescriptive than the Federal Law. This, in turn, contributed to the following consequences:

  - In all sites, moderate to large numbers of students had to wait for assessment and placement, because of the large amount of staff time needed for "processing" students.

- In most sites, particularly during school year 1978-79, regular education teachers became more hesitant to refer students with suspected learning problems, because of the "processing" burden or because of their perception that such children would not be placed before the end of the school year.

- In all sites, teacher attitudes toward Individualized Education Programs (IEPs) have generally improved during the 1978-79 school year. They were moderately to strongly negative during the 1977-78 school year. Teachers in suburban sites continue to question the utility of the IEP compared to similar procedures used previously in their districts. In urban and rural sites some staff perceive the IEP as "a paper document", inadequate for instructional use.

- During the first year of implementation (1977-78), most changes were associated with the IEP process; few with Least Restrictive Environment (LRE). While IEP-related effects continued, during the 1978-79 school year a larger number of issues were directly related to due process and LRE provisions.

- In general, regular teachers and other non-special education staff felt the need for more orientation and training and "would like to be more involved" in the special education process.

- During the 1978-79 school year, as districts implemented the Law at the secondary school level, a number of unique problems and consequences arose. Virtually all IEPs written for transition students (e.g., those transferring from middle schools to high schools) had to be revised when the students moved; these revisions involved large numbers of teachers and other staff.

- In all sites, the special education process has become more formal with a significant increase in record-keeping; standard operating procedures now exist to varying degrees in all sites. Communications between regular and special education teachers have increased due to the implementation of LRE provisions; communication between the districts and other human service agencies are more frequent and formal, as the LEA is now viewed by other agencies as being financially responsible for services provided to handicapped children.

I. PURPOSE OF THE STUDY

P.L. 94-142, The Education for All Handicapped Children Act, mandates that SEAs and, in turn, LEAs provide a free and

appropriate public education to all handicapped children, regardless of the nature or severity of the handicapping condition(s). Each handicapped child must be assessed in a non-discriminatory fashion, must have an individualized education program (IEP) developed by the LEA in consultation with the child's parents, and must be placed in the least restrictive environment commensurate with the child's needs.

Detailed regulations for implementing P.L. 94-142 were promulgated shortly before Law went into effect. However, the level of Federal funding available to meet the demands of these regulations was low -- less than $40 per handicapped child would reach LEAs the first year. Funding is scheduled to increase over a period of years. This combination of heavy demands and gradually increasing resources--a significantly different pattern of Federal aid to education -- could be expected to cause LEAs to consider trade-offs and to force personnel to develop a variety of coping strategies.

The purpose of the present Case Studies is to describe the activities undertaken by LEAs to implement the Law and to describe and analyze the consequences, both intended and unintended, of implementation that occurred, particularly at the LEA level.

II. METHODOLOGY

A Model of Implementation

Our data collection and analysis efforts were organized by a conceptual model of implementation developed for this study. The model draws upon work done by researchers in systems analysis, organizational behavior, bureaucratic systems, and implementation

analysis, particularly the "Street Level Bureaucrat Model" developed and applied by Weatherly and Lipsky (1977).

The model views the implementation of P.L. 94-142 at the LEA level as a response to demands made by the Federal government and by the SEA. The crucial elements are Federal law and regulations, state law and regulations, and state funding formulae. At the LEA level, the important elements are wealth, the tradition of providing special education, the role of external organizations, and the technical competence and qualifications of LEA personnel. As demands are greater than resources, those staff with operational responsibility (i.e., "street level bureaucrats") have to decide how best to meet minimal requirements of the Law and to develop coping strategies which reduce risk and uncertainty. The various elements of the implementation model are discussed more fully in Appendix A.

State and Site Selection

Three states were selected for the study. The variable key employed for selection was the "stage of development" of states, vis-a-vis the degree to which state law was similar to P.L. 94-142:

- one state had already implemented many of the provisions of the Law during the late 1960s;
- one state had implemented some of the assurances of the law during the early 1970s; and
- one state had implemented few of the components of the Law and had only passed a state law similar to P.L. 94-142 shortly before the study began.

Within each state, three LEAs were selected: one urban, one

suburban, and one rural. An additional criterion for selection of rural districts was that they have a feeder system of schools (i.e., at least one elementary, one middle or junior high, and one high school).

LEAs were also classified according to their wealth, using per-pupil expenditure as the measure. LEAs were selected only if their per-pupil expenditures were within one standard deviation of the state mean for the type of district (i.e., urban, suburban, or rural). The final factor was the district's willingness to participate in the study.

Data Collection

Data were collected primarily through unstructured informal interviews, attendance at meetings, and review of documentation. At the local level over 1,500 interviews were conducted with LEA central office and building administrators, regular and special education teachers, support staff, parents, and representatives from advocacy and special interest groups (see Appendix B).

During the first phase of data collection (Fall 1977), core staff interviewed administrators and other central office personnel in each of the nine sites and collected key documentation. During the second phase (Spring 1978), field staff conducted more interviews and collected information at the building level in schools that varied in their capacity and performance in the delivery of services to handicapped students. The interviews with special education staff focused on four general areas of inquiry:

- Describe the special education process as you know it and what is your specific role in that process?
- What has been the nature and extent of change in this process and in your role over the last year or so?
- What is the nature and extent of consequences, intended and unintended, of issues that have arisen and/or affected you as the various provisions of P.L. 94-142 have been implemented in your area of responsibility?
- Why do you believe these particular consequences arose? To the extent that they created problems for you, how did you cope with them?

During the third phase of data collection (Fall 1978 and Winter 1979), field staff again conducted interviews and gathered information from special education and other staff at all levels. During this phase general questions focused upon changes in the special education process and the respondents' roles and behaviors. Approximately half of the schools involved in this third phase were involved in the previous phases of field work.

Throughout the project, interviews were also conducted with officials from the SEA and from other state agencies, and with representatives of statewide advocacy and special interest groups, legislators and their staff, and other appropriate and knowledgeable people.

Data Synthesis and Analysis

Interview notes and documents were logged-in as they were received. Staff coordinators reviewed the incoming information for two purposes: to extract relevant information and to direct further data collection. Later data were compared with earlier data to determine what changes, if any, were occurring. Data were analyzed to determine the consequences of the implementation of P.L. 94-142 in each site, and to describe the special education

process vis-a-vis the provisions of the Law.

Data were also compared across sites in each state to determine what aspects of implementation were common to each state. A second comparison was done by LEA setting (i.e., urban, suburban, and rural). A fuller description of the organization of data is contained in Appendix A.

III. FINDINGS

Below we describe the effects and consequences, which occurred during the two school years of observation, as they are associated with the major provisions of the Law. Differences and patterns among settings are noted using SEA influences as an explanatory variable.

Childfind

Findings: General and By Setting

In all sites, childfind has been a high priority as the districts attempt to locate and serve all unserved children. Staff time was reallocated to childfind activities in the LEAs which had some existing procedures in place; where no mechanisms previously existed, new staff were hired and organized to conduct vigorous child searches. Where mechanisms previously existed (e.g., on a project basis under P.L. 93-380), these mechanisms became more formal or institutionalized. For the most part, the effort was successful as more handicapped children were identified and programs were expanded to serve the new "finds". Initial referrals came from sources who were aware of P.L. 94-142--such as family doctors, other agencies, or support personnel within the school district (see Appendix C for further explanation of the

special education process).

The increase in newly-identified handicapped students resulted in some interrelated problems. Backlogs in assessment processing of the newly-identified children gradually led to frustration on the part of regular education teachers, who began to refer fewer in-school children as they felt they would not be processed. Typically, the urban regular education teachers expressed their reluctance to refer children saying, "It took me three months working with the child to find out some of the problems. By the time he gets through the placement process, the school year will be over and they'll have to start again. I'll tell the child's teacher at the beginning of the next year."

Rural sites were least able to deal with the new childfind overload. The difficulties and strain on the districts was such that one director of special education threatened to terminate all childfind activities because the staff could not handle the children they had located.

In suburban sites, teachers were also hesitant to refer, but for different reasons. These school districts are smaller and have a history of closer parent-school and parent-teacher relationships. In some cases the regular education teachers were reluctant to refer a child because they felt they would bear the brunt of parent hostility over initial identification of a child for special education services; they would rather avoid that hostility by either not referring or asking the principal to initiate the process.

SEA Influence

All nine of the LEAs were assisted and supported in their childfind efforts by their SEAs. Two of the SEAs coordinated all advertisements and announcements with the LEAs while the LEAs made the personal contacts with agencies and civic organizations. In two of the states, new students generally entered special education through the in-school referral process. In the other state, however, the source of many of the new childfinds were other agencies and private providers.

The focus of SEAs' efforts were on the programs or populations, served or unserved, which had the greatest potential for identifying new childfinds. In one state, where other agencies and private providers had traditionally served a large portion of the severely handicapped student population, the SEA focused their search in such agencies and on high school age children who may have dropped out of school. In another state, the focus was on preschool identification where the SEA already had an existing statewide program. It appears that SEAs' (and hence LEAs') childfind activities are directed at populations (e.g., age groups) or programs (e.g., private providers) which offer the best opportunity for new "finds" that can reasonably be served by the LEAs.

Assessment

Findings: General and By Setting

In all of the participating sites, a larger number of different tests are being used, and assessment procedures have become more formalized, comprehensive, and structured, requiring increased time and effort for student processing. This in turn

has, to some extent in all sites, resulted in students having to wait for formal assessment. To expedite the assessment process, a number of staff role changes were observed, particularly among staff or contract psychologists, who now spend the major portion of their time administering tests and reporting results rather than counseling. In all sites, more types of staff are involved in team-based assessment decision-making, reflecting new or different roles for principals, teachers, and other support staff.

The delays in assessment were generally longer in urban sites than in rural and suburban settings due mostly to the larger number of group assessment meetings. For example, in one urban site, a child could conceivably be assessed by central, regional, and school-building level assessment teams, consisting of up to 15 members. The inherent bureaucratic structure of larger systems also increased "processing time".

In rural sites, the nature of problems affecting the assessment process were rather different from those in other settings. For example, in two of the three rural sites, the logistics and administration of tests, along with the lack of trained staff were major problems. In two of the three suburban sites, central office staff, particularly psychologists, questioned the appropriateness and validity of specific tests. In each of the urban sites, to varying degrees, psychologists felt their professional role had been diminished to that of a technician. Rather than being the "leader" of assessment teams, they now perceive their role as only one of several participants in the team decision-making process.

SEA Influence

The variation in assessement procedures is greater among states than among LEAs within states. This can be attributed to the leadership role of the SEA, SEA guidelines and procedures, and SEA operational definitions. In one state, these factors were accentuated by an Office of Civil Rights finding of "inappropriate testing" during the early 1970s and the subsequent Federal monitoring of a statewide decree. In two of the three states, the SEA either operates an assessment service for out-of-school referrals or has contracted with local universities which assign assessment teams to provide services to districts. In the latter case, the teams existed before the Law and were assigned annual quotas. The school districts in this state had little control over the assessment process when faced with the increased demands under the Law. In the third state, a screening and placement mechanism was in-place and was being used by most LEAs prior to the passage of P.L. 94-142. Definitional and procedural modifications have subsequently occurred in response to the new Law and are now being implemented and followed throughout the state, resolving some "problems". For example, in this state the amount of time between identification and placement has been extended to over 25 weeks before a child is officially "waitlisted" for SEA reporting purposes.

Placement

Findings: General and By Setting

As P.L. 94-142 was implemented, delays in placement were experienced in all sites. Often these delays were related to the

availability of services in the districts. It was not uncommon before the Law for students with low incidence handicapping conditions to wait long periods before they could be placed and receive adequate service. The added structure, complexity, and safeguards in processing have slowed down the process, even eliminating some temporary placements that had been used in the past. As more LEA (and sometimes SEA) staff became involved in placement decisions, the committee process, often involving additional organizational levels, consumed even more time. During the 1978-79 school year, placement delays decreased somewhat due to the increased placement options available within LEAs and to new mechanisms developed by the districts to cope with the problems (e.g., placement in homebound programs or in resource or self-contained rooms that serve a wider variety of handicapping conditions).

The largest delays were experienced in the urban districts; however, the rural districts had more problems with placements. In one urban site, building, regional, and central-office level decision processes added to the existing bureaucratic impediments. The number and frequency of meetings became burdensome on staff. In the suburban and rural sites, their smallness facilitated a continuation, on some levels, of the informal process that existed before the Law. Because of the limited services available to them, staff in rural sites often placed students in relatively restrictive environments and in classrooms with teachers not certified for their specific handicapping conditions. In one rural site, the self-contained special education class at the

elementary level contained students who were mentally retarded, learning disabled, visually or hearing impaired, and emotionally disturbed. The teachers in this site were, at best, certified in only one special education area, and, at worst, did not have a degree in education.

SEA Influence

Out-of-school placements have decreased in most sites as school districts felt the need to be accountable for students' educational programs and as SEAs discouraged high cost services by nonpublic providers. In one state, to encourage in-school placements, funding was modified to provide more money for LEAs and less for private providers. In another state, the rural site had a tradition of in-school placements but is now reluctantly having to consider private provider placement for secondary emotionally disturbed and educable mentally retarded students, because these exceptionalities had not previously been served by the LEA. At the prompting of P.L. 94-142, the school board in the suburban site of the same state approved new programs this year for emotionally disturbed and the blind who were formerly served outside the LEA. The third state has discouraged out-of-state placements; to encourage more LEA cooperative efforts, it has provided additional funding. As we describe later, most due process hearings and district appeals are related to placement/nonpublic provider issues. In short, the placement-related consequences which surfaced at the local level are directly related to SEA policies and procedures.

Individualized Education Program (IEP)

Findings: General and By Setting

Over the last two school years in each site, most consequences have been associated with IEP activities. In all sites, mechanisms to implement the IEP process are in place. Standardized forms and formats are now being used, mostly in reponse to SEA requirements. IEPs are developed, for the most part, around those learning activities which can be most easily provided locally. During the 1978-79 school year, the amount of staff time devoted to writing IEPs was less than during the previous year, because procedures were streamlined and staff became more familiar with the process. Yet, a large amount of staff time was still necessary, especially when IEPs were written in the spring for use in the fall or when students transfered from one level to another (e.g., elementary to junior high school). In such cases the teacher who wrote the IEP was seldom the one who implemented it; this caused much IEP revision.

In all sites, more staff "types" are now involved in developing the instructional programs for handicapped children; this is due largely to the requirements of the IEP process. At the secondary level, the number of participants was generally greater than at the elementary level, as more teachers instruct each child during the day. To varying degrees in all sites, the IEP meetings have been used to develop long-term goals only; short-term objectives are, for the most part, written by the special education teacher after the child is placed in his/her program. In most instances, parental involvement in IEP meeting is limited to attendance and approval, with limited interaction

concerning the development of specific instructional programs.

During the last two years, most in-service training and orientation which was conducted by the central office staff focused upon the IEP process. To varying degrees, the central office staff use the IEP to monitor classroom instruction and activities provided to students. Special education teachers do use IEPs in planning instruction; however, the IEP is usually supplemented by the LEA's curriculum guide or the teachers' lesson plan which they previously used.

During the 1977-78 school year, there appeared to be more differences in processes and consequences among the three types of settings than were observed during the subsequent school year. For example, during 1977-78 in all suburban districts, special education teachers felt that elements of the IEP process (e.g., formats, forms) were inappropriate, irrelevant, and of little utility, especially in light of the individualized programs of instruction and forms which had been in place prior to the passage of P.L. 94-142. More positive attitudes were observed during 1978-79. Also, during the first year of implementation, many special education teachers in the rural sites questioned the instructional validity and utility of the IEP as they considered themselves inadequately trained to develop individualized instructional programs. Yet IEPs were developed, on paper, to meet the October 1977 deadline. This perception was observed to a lesser extent in 1978-79. In urban sites, teachers felt that they should have been compensated for the additional time spent developing IEPS for the deadline. To some extent, this feeling

eventually subsided.

SEA Influence

The manner by which the IEP process is implemented in each of the three states is influenced directly by SEA-prescribed procedures and formats which now exist in all three states. In two states, the SEA-prescribed IEP is a primary focus of on-site monitoring, at the building level, by teams of SEA officials. In the third state, the SEA has recommended an IEP format which is not used uniformly throughout the state. The fact that IEP mechanisms are in place in all sites can be attributed largely to SEA priorities, procedures and formats, and monitoring and enforcement activities.

Least Restrictive Environment (LRE)

Findings: General and By Setting

Across all sites, new service options were created to implement LRE requirements. New staff were hired to expand existing services and/or to offer new programs which were not previously available. Physical facilities, such as resource rooms, self-contained classrooms, and "temporary" classroom buildings were built, purchased, or otherwise made available. In most sites, there was also a decline in out-of-school placements as LEAs expanded services or provided new programs within schools, particularly for the severely and profoundly handicapped.

As expected, the nature and extent of LRE placements varied according to the severity of the handicapping condition. At the secondary level, many of the problems associated with placing handicapped children in regular classrooms were more pronounced

because of the greater mental age or performance differential between regular and special education students, the departmentalization of secondary schools, and a history of providing fewer special education services than elementary schools provide. At the secondary level, contact between handicapped and non-handicapped children generally occurred during non-academic instructional activities, such as music, library and lunch periods, and during the changing of classes. At the elementary level, LRE placements also included recess and physical education classes; mildly handicapped students were increasingly placed in resource rooms. Grading, report cards, and minimal competency testing were additional problems at the secondary level. In many cases, the difficulties observed with LRE at the elementary level lessened in the 1978-79 school year, while they remained the same or increased at the secondary level.

At the building level, LRE was incorrectly perceived to mean--"mainstreaming" placing handicapped chilren in regular classrooms. Teacher anxieties over "mainstreaming" were observed during the 1977-78 school year. Teachers were concerned about the inadequacy of their training, unavailability of proper facilities and specialized staff (e.g., nurses), and reduced time they could spend with non-handicapped children in the classroom. As LRE was implemented during the 1978-79 school year, teacher anxieties generally lessened; indeed, in a number of sites, teacher resistance which was anticipated by central office staff did not materialize, because large numbers of severely handicapped students were not placed into regular classrooms.

In rural sites, a wide range of handicapping conditions and age levels were observed in resource and self-contained classrooms--a situation caused by the limited range of available service options and by the lack of trained staff or high teacher turnover (up to 50%). Even though, prior to the Law, the range of services was limited because of the relatively high per-pupil costs of creating service options for very small numbers of children, rural settings made the greatest strides in implementing LRE. For example, in one site, prior to P.L. 94-142, virtually all handicapped students were served in special education facilities separated from non-handicapped students. In 1978-79, two resource and one self-contained classrooms existed in each elementary school and resource rooms are planned to be in all junior high and high schools in 1979-80. The fact the rural sites changed more than urban and suburban sites can be attributed to the limited services which existed before the Law and their recent attempts to meet the requirements of the Law.

In suburban sites, more so than in rural and urban sites, both regular and special education teachers were concerned that "mainstreaming" would adversely affect the individual student, because less individualized attention would be provided. Placing physically handicapped children in regular classrooms was more easily facilitated in suburban sites because more buildings and classrooms were newer and barrier-free.

In urban sites, a wider range of service options and staff specialists were available. The increased emphasis upon LRE during 1978-79 placed a great burden upon those specific areas

which served children who had previously been served in more restrictive environments, especially by non-public providers. While urban regular education teachers shared many of the concerns of their counterparts in rural and suburban settings, their attitudinal problems were more acute. In one urban site, special education teachers received a ten percent salary bonus, had aides available to them, and had smaller class sizes than regular teachers. This situation contributed to regular teachers' jealousies. In the other two sites, regular teachers were unhappy about increases in class size and related decreases in the special education teachers' class size when handicapped students were placed into their classes for portions of the day.

SEA Influence

During the 1977-78 school year, LRE was neither a stated nor a visible priority in any of the SEAs. In two of the three states, SEAs had a history of avoiding labels for children and allocating funds according to services provided rather than "categories of exceptionality". In these states, LRE was perceived, to some extent, to force "labelling" and categorization", as LRE placement options were prescribed by handicapping categories rather than services provided. During the 1978-79 school year, however, LRE surfaced as a higher priority in all three states as SEAs changed operational definitions (e.g., distinctions between LRE and "mainstreaming") and made other refinements (e.g., the amount of time a child must spend in an LRE placement) to facilitate the process at the local level. The degree to which LEAs have implemented LRE requirements and the

nature and extent of problems associated with implementation are best explained by the tradition of the state in encouraging LRE prior to the passage of P.L. 94-142, more so than any stated or written new policies.

Parent Involvement/Due Process

Findings: General and By Setting

As a result of P.L. 94-142, activities have been initiated or modified in all sites to involve parents more in the special education process. Most district activities to involve parents focus upon obtaining written permission (e.g., for testing and assessment, for approval of IEPs, and for placement) and informing parents (e.g., assessment results, rights to paticipate, results of IEP reviews). Parental involvement in the IEP process is the most visible special education activity involving parent and staff time. In all sites, parents are requested to approve, in writing, "draft" or "tentative" IEPs which include long-term goals; short-term instructional objectives, usually written after placement, may or may not be reviewed by parents.

While the number of parents involved in providing written approval and receiving written LEA communications has increased, a dramatic increase in shared parent/staff decision-making regarding special education has not been observed--a perception offered by many LEA staff. Without question, however, the opportunities for parents, who wish to be more involved in special education, have increased significantly due largely to P.L. 94-142. In those sites (mostly suburban) where high parental involvement existed prior to the implementation of P.L. 94-142, it has continued.

Parental involvement appears to be more likely when the parent's socio-economic status is higher, when they live close to school, and when the tradition of parent/school relations in the district has been positive. In certain instances, a few parents appeared to be resentful or intimidated by LEA attempts to solicit their more active involvement in the special education process.

The majority of due process hearings and appeals are related to out-of-school placements which raise both SEA policy and "dollar" issues. In sites where formal due process hearings were conducted, the impact of the hearings upon the LEA staff involved and, to a lesser extent, upon the parents was traumatic, regardless of the outcome. The threat of hearings generated an enormous amount of paperwork and documentation of the special education process, as staff developed coping strategies to protect themselves from legal reprisal. Indeed, one psychologist, who in the prior year resented the amount of paperwork involved in the IEP process, felt "it was the only thing that saved her" when the hearing was convened. The occurrence of a hearing at one site formalized a special education process with some unintended effects. For example, principals who chair IEP meetings have begun prefacing the meeting (with staff and parents) with the statement that "This IEP meeting constitutes a legal process." In other instances where formal contacts between building staff and parents existed, communications are now even more formal. Indeed, parents involved in one hearing were told by their lawyers not to "talk to anyone within the district". Hearings also consumed much staff time, and some out-of-pocket costs for the LEA and the

parents. In almost all disputes, mediation is attempted in resolving issues and arriving at settlements.

In all three ubran sites, the rate of parental participation has increased between 20 and 80 percent at the building level over the last four years. Most observers felt that the increase in parental involvement could be attributed to a combination of school district decentralization in the early 1970s and P.L. 94-142. In urban sites, parent involvement in the IEP process is generally limited to attending meetings and providing written approvals. Only when special education teachers take the initiative, do parents review and approve instructional objectives. Many parents who attend central office or building meetings feel intimidated by the presence of large numbers of LEA staff or feel the process is too complex. Some parents have difficulty communicating openly with LEA staff. The IEP meeting has become essentially a formal mechanism for complying with the Law rather than for informing and involving parents.

The extent and quality of parental involvement in suburban sites were significantly higher than in either urban or rural sites. Parents are involved actively in the IEP process and in decision-making requiring informed consent (testing, placement, etc.). However, in two of the three suburban sites, district procedures and practices to involve parents were in place prior to P.L. 94-142; and, for the most part, more documentation is now required. In the third suburban site, informal mechanisms have become more formal.

In two of the three suburban sites, due process hearings

initiated by parents have been conducted. In all instances, the district staff involved in the hearings were extremely anxious about the hearing outcome and its implications (e.g., that the IEP would become a legal document and that teachers would be held accountable). For the most part, such anxieties were allayed. In one site, as a result of a formal hearing, many district staff had their "confidence as professionals shaken", because their professional judgments were being questioned.

In all three suburban sites, most disputes have been settled through mediation with the district often "bending over backwards" to satisfy parents' concerns or to "get parent signatures." Most LEA officials felt that P.L. 94-142 provided "guidance" for involving parents. Some reluctant parents felt that notification procedures and letters were lengthy and complex, sometimes exaggerating the extent of the child's condition, or that too much involvement would have adverse stigmatization effects on their child. Others felt they needed "more orientation on the Law" before they could be actively involved.

In all three rural sites, parental involvement was relatively low prior to the passage of P.L. 94-142 or related state laws. In two of the three sites, new mechanisms for involving parents have been created within the last two years; in the third site, informal procedures were formalized and extensively refined in accordance with SEA policies. Parental involvement in most instances is limited to "sign-offs." For example, in one site during the last two years, only one parent had been actively involved in the development of her child's instructional

activities. In all three rural sites, written parent notifications regarding rights were less than adequate.

In two of the three rural sites, some parents who did not want to participate actively felt intimidated. In one site, teachers felt that the director of special education used the due process provisions of P.L. 94-142 to "club reluctant parents over the head" to force them to allow the district to place their child in special education.

Rural districts responses to SEA on-site monitoring visits of parent involvement compliance issues have been to "document everything." In response to a formal due process hearing during school year 1978-79, one district's response was to become even more formal. Both parents and staff harbor a degree of embarrassment as a result of the hearing.

SEA Influence

The specific procedures and mechanisms used at the district level to involve parents reflect, for the most part, SEA suggested policies. The nature and extent of parental involvement is also related to the recency of a similar state law (e.g., the state with the most recent mandate had the lowest grade of parental involvement). This suggests that, as schools have more experience with the law, parental involvement may increase.

SEA policies and activities also affect local dispute

settlements and, thereby, parent/LEA staff relations. For example, in one SEA, a major change in state law, designed to reduce the number of placements with "private providers", has resulted in several due process hearings and appeals, which in turn could have a negative impact on parent/district relations. However, in another state the SEA is responsible for approving "non-public" placements. This tends to place the district and parent together in an adversarial role with the state and has tended "to cement parent/district relations."

SEA activities in all three states have had a direct "consumer awareness" impact on parents. For example, in one of the participating states, the SEA not only held regional hearings on P.L. 94-142 during the first year of implementation throughout the state, but also presented its SEA Annual Plan over "statewide television", receiving over 100 comments from interested parents and parent groups. In addition, the SEA recently conducted a workshop for lawyers who were interested in serving as hearing officers. Another SEA has developed a manual for hearing officers; the manual is also used to train LEA staff throughout the state. Such activities will undoubtedly improve the nature and extent of parental involvement in all sites over time.

IV. CLOSING COMMENTS

Generally, the findings presented in the previous section are not surprising. Most of the hypotheses generated by the TURNKEY Implementation Model (see Appendix A) were corroborated. Moreover, the findings are similar to those of others who have applied the case study methodology in related studies.

The special education processes used by participating districts to implement P.L. 94-142 are complex, interrelated, and both formal and informal. Many of the processes existed, in one form or another, before they were mandated by the Law (e.g., the in-school referral of special students existed before "childfind" provisions). There is often little distinction between provisions; assessment, placement, due process, and parental involvement are continuing activities which do not occur at only one point in time. For example, "assessment" often begins before screening of the student and, always, before the child is referred for a formal evaluation. The placement decision is partially formulated at every preceding step in the process resulting in near certainty the student will be placed once a placement meeting occurs. A more detailed explanation of the observed special education processes may be found in Appendix C.

In all sites, numerous activities were undertaken to implement the major provisions of P.L. 94-142. The districts' capacities to implement the provisions were highly associated with the degree to which mechanisms were in place prior to the study. While the rural sites generally progressed more than the suburban or urban sites, they also had some of the greatest problems, which were usually related to inadequate resources and the lack of trained staff. Progress in urban sites was slower and problems were encountered with their organizational and administrative practices. In suburban districts, most activities were associated with refining procedures to integrate P.L. 94-142 or SEA regulations into district operating procedures.

In all three states, the leadership role of the SEA and the states' interpretations, policies, and procedures significantly influenced LEA procedures in implementing the provisions of the Law. SEAs with traditionally strong leadership roles used both formal and informal procedures; in SEAs with relatively weak traditions and strong local autonomy, the process of formalizing new mandates and mechanisms has been difficult and lengthy.

APPENDIX A

A CONCEPTUAL MODEL FOR ASSESSING THE IMPLEMENTATION OF P.L. 94-142

APPENDIX A

A CONCEPTUAL MODEL FOR ASSESSING THE IMPLEMENTATION OF P.L. 94-142

The model was developed and modified over the period of the study and served several purposes: (1) it provided a framework for analyses; (2) it provided a basis for generating study questions and hypotheses; and (3) it permitted identification of the relevant variables affecting implementation. This model is similar to the one developed by Milstein (1976) to explain Federal-state interactions. We have drawn upon the work of Easton (1965), Kirst (1972), Murphy (1971, 1973, 1974), Bailey and Mosher (1968), Weatherley and Lipsky (1977), and others in developing the model, which is presented graphically in Exhibit I.

This model includes elements external to the SEA and LEA, as well as internal elements of these systems. Van Meter and Van Horn (1975) note that economic, social, and political conditions "may have a profound effect on the performance of implementing agencies," although "the impact of these factors on the implementation of policy decisions has received little attention" (p. 471).

THE SEA IMPLEMENTATION MODEL

Although the focus of this case study was on the consequences of implementation at the LEA level, an LEA's reactions to P.L. 94-142 will, to a great degree, be determined by how the SEA reacts to the Law and by the demands the SEA places upon the LEA. We, therefore, have included the SEA as a major component of our model.

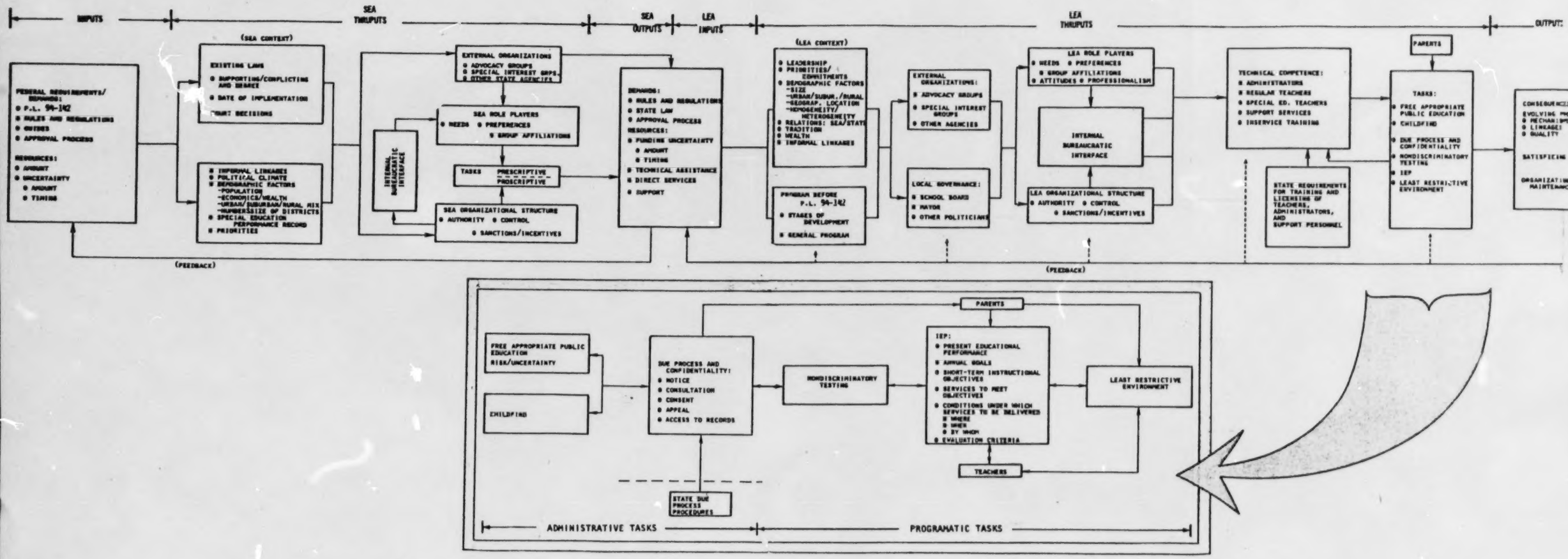
Inputs

Inputs to the SEA from the Federal level include demands and resources. The demands include: the Law (P.L. 94-142), the regulations promulgated by BEH, and the approval process. The resources are primarily the funding that goes from the Federal government to the states.

The Law and Regulations

P.L. 94-142 includes a number of provisions that must be adhered to by both SEAs and LEAs. These stipulations include:

CONCEPTUAL MODEL FOR THE IMPLEMENTATION OF P.L. 94-142



- assurance of extensive child identification procedures;
- assurance of the "full service" goal and a detailed timetable;
- a guarantee of complete due process procedures;
- the assurance of regular parent or guardian consultation;
- maintenance of programs and procedures for comprehensive personnel development, including in-service training;
- assurance that special education will be provided to all handicapped children in the least restrictive environment;
- assurance of nondiscriminatory testing and evaluation;
- a guarantee of policies and procedures to protect the confidentiality of data and information;
- assurance of the development of an Individualized Educational Program for each handicapped child;
- assurance of an effective policy guaranteeing the right of all handicapped children to a free, appropriate public education, at no cost to parents or guardian; and
- assurance of a surrogate to act for any child when parents or guardian are either unknown or unavailable, or when said child is a legal ward of the state.

The SEA is responsible for monitoring compliance by its local school districts with respect to these various stipulations. The U.S. Commissioner of Education has corresponding monitoring responsibilities vis-a-vis SEA compliance.

Final regulations for P.L. 94-142 were published in August 1977; additional regulations concerned with the definition of learning disabilities were published in December 1977. These various regulations interpret the Law for SEAs and LEAs, and detail procedures that must be followed (e.g., in developing IEPs, for due process).

The Approval Process

Each SEA must submit a detailed Annual Program Plan to BEH; this plan must be approved before Part B funds are passed on to the state. The Plan must include several elements, including assurances to the U.S. Commissioner of Education that the state is following policies and procedures that will guarantee, to each handicapped child, a free, appropriate public education. BEH action on the Annual Program Plan for a state can range from rejection to partial or full approval.

Resources

P.L. 94-142 provides Federal funds to SEAs and LEAs based on the number of handicapped children from age 3 to age 21, multiplied by a percentage of the national average per-pupil expenditure for elementary and secondary education. This percentage authorization increased from 5% for the 1977-78 school year to 40% for the 1981-1982 school year and for each year thereafter. Entitlement legislation, however, has not ensured that the necessary funds will be appropriated by Congress.

During the 1977-78 school year, 50% of the funds that went to a state were passed through to LEAs; in subsequent years, 75% will be passed through. The SEA share may be used to provide direct services, but only 5% (or $200,000, whichever is greater) of the total may be retained by the state for administrative costs. Services must be provided to "priority one children" (those not currently served) and then to "priority two children" (those severely handicapped children who are inadequately served).

Funds provided under Part B can be used only to cover the excess costs of educating handicapped children, and cannot be used to supplant funds already available at the SEA or LEA level, unless the SEA can satisfactorily demonstrate to BEH that all handicapped children in the state are receiving "adequate" educational services; in this latter case, Part B funds may be used to supplant SEA and LEA funding.

Although the entitlement formula is quite clear, there continues to be uncertainty about the specific amount to be appropriated and allocated, particularly during the early stages of implementation.

SEA Contextual Variables

Differences among states in providing education and related services to the handicapped are perhaps greater than for any other area of education. These differences can be explained to some degree by a number of contextual variables.

State Law

Almost all states have passed legislation that is similar to, if not identical with, P.L. 94-142. In some states, legislation was passed in anticipation of the implementation of P.L. 94-142; in other states, legislation preceded

passage of the Federal Law. We would expect that implementation of P.L. 94-142 would be facilitated in states where the law is very similar to the Federal Law. Three factors limit this hypothesis, however. First, state legislatures may be unwilling to appropriate sufficient funds to implement the state law fully. Second, state laws may not be comprehensive enough, or may actually conflict with other state statutes. Third, implementation of P.L. 94-142 will not be facilitated if the state law will not be fully implemented for several years after the Federal Law becomes effective. Court decrees can drastically alter a state's approach to educating the handicapped or can speed up a timetable for implementation of the state law.

Political, Economic, and Social Variables

Demographic factors will exercise a great deal of influence on the implementation process. States dominated by suburban districts, for example, will operate differently from those dominated by urban or rural districts. Wealthy states will provide different services than poorer states. States with large minority populations have different problems to face compared with states with small minority populations.

One very important factor at the state level is the informal linkages, both between the Federal government and the SEA and within the state government. Another very important factor is the political climate in the state -- the role of the governor and the state legislature and their influence or authority over the SEA. In many states, the governor appoints the state board of education; in others, the board is elected. In some states, the state superintendent is appointed by the board, in others elected statewide, and in still others appointed by the governor.

Two final contextual variables will influence a state's implementation of P.L. 94-142: the state's prior performance in special education and the state's priorities. What a state has done in special education may have little to do with the state law; a law that mandates education for the handicapped but that is not enforced or funded will not lead to quality services to the handicapped. A state's priorities will also affect services to the handicapped; a state can emphasize or de-emphasize special education, and it can stress different provisions of P.L. 94-142 to be implemented.

SEA Throughputs

The implementation process is greatly affected by external influences on the SEA, by the SEA's organizational structure, and by the SEA role players.

External Organizations

The influence of advocacy groups on special education will vary greatly among states, as reflected in the evolution of state laws and policies over the past decade. In some state, for example, the Association for Retarded Citizens may be the most active group; in other states, the Association for Children with Learning Disabilities will be active. The influence of these groups will be felt formally, through such activities as lobbying, and informally, through professional associations and personal relationships with SEA role players.

Special interest groups can also be very influential at the state level. The most important of these are likely to be teachers' or administrators' unions; taxpayers' associations may also be very active. Parent groups, separate from the various advocacy groups, can be important at the state level.

A third major external force at the state level are other state agencies that have in the past provided services to the handicapped; these might include departments of mental health, mental retardation, and human services. P.L. 94-142 requires the SEA to supervise all educational and related services provided by these other agencies. These other agencies may seek to retain control over their traditional functions. Some states have created new "SEAs" within these agencies to meet the supervisory requirement of the Federal Law. One effect of this may be an actual reduction in services to the handicapped in the short run as state agencies reduce such services because the SEA has the legal responsibility to provide the services. The SEA, however, may not have the authority or the resources to meet these responsibilities.

SEA Role Players

The roles of SEA officials involved in the implementation of P.L. 94-142 will be influenced by: subordinate bureaucratic tendencies and superordinate leadership and management, and individual needs, preferences (when discretion is allowed), affiliations, and professionalism.

Professional ties are extremely important in special education, perhaps more so than in almost any other area of education. This has led to distinct

divisions in state bureaus and to the establishment of informal networks that function within the formal structure.

The tremendous growth of special education in recent years has resulted in the concomitant growth of relevant agencies at the state level; this, in some instances, has threatened other bureaucracies within the SEA. The great demands of P.L. 94-142, coupled with growing resources, have given SEA special education personnel even greater opportunity to use their discretion in determining priorities.

Group affiliations in special education tend to form along lines of expertise rather than function (e.g., learning disabilities specialists, speech therapists, etc.). These coalitions have a great impact in inter- and intra-agency bargaining for resources.

SEA Organizational Structure

The authority of the SEA to carry out its responsibilities under P.L. 94-142 may be limited by law or by tradition. The SEA's relationship with other state agencies may be ambiguous, and there may be no mechanism to coordinate services to the handicapped at the state level unless informal structures exist.

Structures for implementing P.L. 94-142 may range from existing divisions to newly-created units; the former situation prevails in most states. Here, risk aversion, the use of standard operating procedures, and bargaining among coalitions explain much of the implementation process.

SEA control structures range from regulations to program and financial audits of LEAs. The zeal with which such governance is pursued varies from state to state, however, if for no other reason than that the amount of Federal funds going to LEAs under the Act is small relative to the amount of state and local funds being used to finance the education of the handicapped. The SEA's ability to control the LEAs also varies. Traditional concepts of superior-subordinate do not apply here because we are dealing with independent organizations, not with individuals within a single organization (see Van Meter and Van Horn, 1975). SEA governance over LEAs is further influenced by the sanctions the SEA perceives the Federal government can and will impose upon the state.

Outputs

The outputs from the SEA level are of two types, demands and resources.

These outputs in turn become the inputs to the LEA level, and are discussed in the next section.

THE LEA IMPLEMENTATION MODEL

Inputs

The inputs to the implementation process at the LEA level include the outputs from the SEA level: state law (discussed above), regulations, and the approval process; and funding, technical assistance, direct services, and general support.

Demands

States make demands of their LEAs in the form of regulations and the approval process. Regulations will affect several of the tasks required of the LEAs under the Law; these will be dealt with below (e.g., IEPs, LRE). An LEA must apply to the SEA for approval of its program for the handicapped before it receives any funds under P.L. 94-142.

Resources

One of the strongest influences upon an LEA's provision of education for the handicapped is the state funding formula. An LEA will typically receive funds from the state based on the number and/or types of children it has receiving special services. Some funding formulae encourage mainstreaming; others, self-contained special classes. In the latter case, fiscal incentives could conflict with the LRE requirements of P.L. 94-142.

The technical assistance provided by SEAs to LEAs will affect some aspects of local implementation. If an SEA is unable or unwilling to provide such services, however, this will place another burden on the LEA, which will either have to obtain this assistance from other sources or do without.

The state also provides direct services (e.g., it maintains institutions for various types of handicapped individuals). Typically, these institutions will serve severely and/or multi-handicapped individuals.

Another very important resource provided by SEAs is general support for LEAs. If a local director of special education services, for example, cannot obtain necessary local resources to maintain a particular program, the SEA's

intervention with the local superintendent may be instrumental in obtaining these resources.

LEA Contextual Variables

Although state law may mandate education of some or all handicapped children, the actual services provided to these children will vary greatly from one part of the state to another, depending upon a variety of contextual factors.

Program Before P.L. 94-142

LEAs vary greatly in the proportion of their total enrollments receiving special education services. These differences in service rates, however, do not mean that the quality of services is inappropriate to the community. The incidence of handicapping conditions varies greatly across communities. How P.L. 94-142 is implemented at the LEA level will depend in large measure upon the match between the existing local programs and the requirements of the Law, as filtered through state rules and regulations. If the existing program substantially meets the requirements of P.L. 94-142, implementation will be relatively smooth and successful. If there is a great deal of disparity between the program and the Law, however, implementation will be difficult and probably incomplete. As Wilken and Callahan (1976) noted, "Achieving a better match between special education needs and services depends heavily on the willingness of law-makers to develop public policy which is much more sensitive to variation in the ability and inclination of localities to educate the handicapped" (p. 7; emphasis added).

A district's special education program generally goes through three major stages of development as it is implemented. First, an LEA will establish the mechanisms required by the legislation. In the case of P.L. 94-142, this stage includes setting up childfind procedures, assessment procedures, placement committees, etc. Second, linkages between special education services and other segments of the school system will be established. Resource room teachers will coordinate their efforts more closely with those of regular classroom teachers, for example. Communications with other divisions within the LEA (e.g., remedial reading, Title I, vocational education) will occur. These first two stages are essentially concerned with developing new organizational structures. Third,

there will be a focus on the quality of individual children's programs. In this stage, staff are concerned with the relationship between programming and a child's needs. The degree to which an LEA implements P.L. 94-142 depends to a great extent on the stage of development the existing special education program was in before implementation.

Political, Economic, and Social Variables

Many local characteristics affect both the quantity and quality of special education services provided by an LEA. One important variable is the public schools priorities and commitment to educating the handicapped. Some communities, for example, view this as a private, rather than a public, responsibility.

The size and type of a district will have a tremendous influence on its education of the handicapped. Some small districts may have a great deal of difficulty in implementing P.L. 94-142, primarily because they have small numbers of handicapped children. It will not be economically feasible for such districts to hire the trained personnel needed to educate these children. Some large, inner-city LEAs may also have difficulty in implementation because of the very large numbers of handicapped pupils in these districts and the limited resources available to educate them. Many urban districts are faced with eroding tax bases, rising labor costs, and shrinking rather than growing budgets. Such districts also have very large bureaucratic structures in which children may become "lost" for varying periods of time.

Closely related to the size of an LEA is the type of community it serves: urban, suburban, and rural. Other things being equal, "smoother" implementation of P.L. 94-142 can be anticipated in suburban districts. The reasons for this are found in many of the other variables that operate at the local level: size, wealth, the influence of external groups, and the professionalism and organizational structure of the LEA. Suburban districts are usually neither too small nor too large; they are generally wealthier than are most rural or urban districts; parents of the handicapped tend to be relatively well educated and well organized; there is a high degree of professionalism among LEA personnel; and the lines of authority and responsibility within the LEA are clearly drawn in most cases.

The homogeneity of an LEA is a very important determinant of special education services in some states. Wilken and Callahan (1976) found that in

Maryland, for example, differences in district wealth had a far less pronounced effect on special education services than in Massachusetts. School districts in the former are county-based; hence, local differences in special education services tend to be washed out. In the latter, on the other hand, districts are relatively small and homogeneous; differences between districts therefore tend to be emphasized.

Wealth and tradition also explain the type and quality of services provided to the handicapped. Wealthier districts generally will provide more and better services than will poorer districts, although they are many exceptions to this rule. If a district does not have a tradition of educating the handicapped, programs will be more limited during the initial stages of implementation of P.L. 94-142 than if the district has such a tradition. LEA leadership will be instrumental in the former case; if superintendents and other administrators are committed to special education, programs will probably be established more quickly than if there is no such commitment.

Informal linkages are as important at the LEA level as they are at the SEA level. Communications within the LEA and between the LEA and other agencies are necessary if services are to be provided to the handicapped; such communications may be more effective if they are informal than if they are formalized.

LEA Throughputs

Implementation of P.L. 94-142 at the local level is affected by a number of throughputs: external influences, local governance, LEA role players, LEA organizational structure, the technical competence of the LEA, and the specific tasks required under the Law.

External Organizations

External organizations (advocacy groups, special interest groups, and other local agencies) will often have a greater impact on the LEA than they do on the SEA. Local branches of advocacy groups (e.g., Associations for Retarded Citizens) may exert pressure on the LEA to provide full services for handicapped children. These groups can also provide assistance to the LEA, particularly in placing handicapped children outside the LEA or in providing supplementary resources for those children whose primary placement is within the LEA. In some districts, these groups actually operate programs for the handicapped.

Teachers' associations also influence relevant decisions made by an LEA. Union contracts often specify such things as maximum class size and salaries of teachers (both of which serve to limit the resources available to the LEA); the number of handicapped children who can be placed in a single regular classroom; and additional preparation time and in-service training for teachers who have such children in their classes.

Parents of handicapped children are also a strong influence on the education of the handicapped at the LEA level. Other groups of parents may also exert pressure at the building and classroom levels to increase the services provided to nonhandicapped children (e.g., to provide more individualization). Local level educators may be faced with conflicting demands for scarce resources.

The non-public school sector, including church-affiliated schools, may also be an important influence on LEA decision-making if they provide services to the handicapped. These schools will compete with the LEA for community resources.

Other local agencies will also have an effect on an LEA's provision of services to the handicapped. Such agencies traditionally have provided many services to different groups of handicapped children (e.g., the local mental health unit may provide therapy and other services for emotionally disturbed children). Because the LEA now has the legal responsibility for these children, services that were previously provided at "no cost" to the LEA could be withdrawn or charged to the LEA.

Local Governance

Local government will influence, not only LEA organizational structure, but also LEA role players. Local politicians can pressure an LEA to improve services; they can also support an LEA's efforts in the face of opposition from outside groups. The local government generally has the responsibility for raising money to finance education, and hence can control to a greater or lesser degree both the structure and the personnel of the LEA.

LEA Role Players

Many of the statements made above about SEA role players can be applied to LEA role players. An individual's needs, preferences, professionalism, group affiliations, and attitudes will all influence performance.

Administrators' career goals and preferences can have great impact on how P.L. 94-142 is implemented. Their exposure to special education will greatly influence their preferences when discretionary choices have to be made about educating the handicapped generally or about individual handicapped children. Administrators who understand the problems of the handicapped will tend to be disposed to making decisions that will aid such children. Of course, this can work to the advantage of some children at the expense of others. As Weatherley and Lipsky (1977, p. 194) found, LEAs often evaluated and placed children whose handicaps allowed local personnel to practice their specialties. Thus an administrator with a background in evaluating and educating the retarded might push services for retarded children while possibly ignoring children with other handicaps.

The professionalism of LEA role players affects both the quality and the quantity of special education services. Trained, committed personnel will direct their energies toward providing quality services, but inadequately trained personnel may be unable to do so.

Informal group affiliations at the LEA level will influence the type of services that are made available to the handicapped. If special education personnel are well integrated with "regular" components of the LEA, role players' affiliations are less likely to be based exclusively on their specialization; hence they will be able to call upon other LEA personnel to provide services to the handicapped. If special education is segregated from the other components of the LEA, however, informal links will tend to be strongest among special education personnel, who will not have easy access to other services for the handicapped. In this latter case, communications will often be easier with external groups than with other elements of the LEA.

LEA Organizational Structure

The LEA organizational structure operates with the role players to effect the implementation of P.L. 94-142. In general, this authority structure is designed, as it is at the SEA level, to reduce uncertainty, to assure equitable resource allocation, and to facilitate the accomplishment of procedural tasks. Elements of this structure may be more susceptible to external pressures at the local level than at the state level, particularly in the allocation of resources. School budgets are subject to the approval of an agency outside the LEA, either

the local governing unit (e.g., the city council) or the voters. This is the ultimate form of control at the local level.

The superintendent is a vital element in the education of the handicapped; he/she makes many of the resource allocation decisions in the district. This may become a factor in the implementation of P.L. 94-142, especially if the superintendent has to take resources away from existing programs to meet the mandates of the Law.

How the LEA complies with the provisions of P.L. 94-142 will also depend upon the perceived SEA sanctions and incentives for compliance, much as SEA compliance depends in part on perceived sanctions and incentives emanating from the Federal level. During the first year of implementing (1977-78), about $35 per handicapped child was allocated to LEAs, which may not have regarded the loss of these funds as a major sanction. As the money flowing to LEAs increases, however, the possible cutoff of funds will become an important incentive for compliance.

States often lack the machinery to enforce policies at the LEA level. A state may not have uniform accounting systems or, if it does, it may not have sufficient personnel to monitor LEA expenditures for special education services. The threat of lawsuits by parents or advocacy groups may more effectively serve as a sanction against non-compliance for many LEAs, particularly where parents have easy access to lawyers.

LEA Technical Competence

An LEA's "technical competence" will greatly influence the implementation of P.L. 94-142. This comprises administrators, the staff or regular teachers and special education teachers, the support services available (e.g., psychologists, audiologists, etc.), and the amount and quality of in-service training available.

Although an LEA's technical competence is in large part influenced by the amount of money the district has available to spend for qualified personnel, other factors over which an LEA has no control are also relevant. One is the quality of teacher training institutions in the state and whether the programs in these institutions provide the training that LEAs require to implement P.L. 94-142. Another factor is SEA requirements for teacher and administrator training and licensing. It is "easier" to become a teacher in some states than in others.

LEA Tasks

P.L. 94-142 mandates specific tasks that must be performed. Although the SEA has de jure responsibility for carrying out these tasks, they have become the de facto responsibility of the LEA. The tasks can be roughly classified as administrative and programmatic, the distinction being that the latter directly affect the services that will be made available to the child:

Administrative

- free appropriate public education
- childfind
- due process and confidentiality

Programmatic

- nondiscriminatory testing
- Individualized Education Program
- least restrictive environment

Outputs

Four major outputs can be identified at the LEA level: consequences, an evolving program, "satisficing," and organizational maintenance. Over time, the special education program will change, moving to higher stages of development. The LEA will not be able to consider all alternative courses of action to implementation of P.L. 94-142 and then choose the one alternative with the most favorable consequences. Rather, the LEA will select that course of action that is "good enough" (i.e., that satisfices (see Allison, 1971, p. 72)). The LEA will also be concerned with maintaining itself as an organization. That is, school district personnel are unlikely to make decisions whose end result will put the LEA or a part of it "out of business."

The consequences, which we have classified into four categories--resource allocation/utilization, organizational structure/administration, roles/behaviors, and attitudes/perceptions--are the primary focus of this Case Study.

Utilization of the Model

The model presented in the preceding pages is an explanatory, rather than a research, model. It provided the basis for our study questions, and also provided a framework for our analysis of the data from the different sites.

Allison, G.T. Essence of decision: explaining the Cuban Missile Crisis. Boston: Little, Brown and Company, 1971.

Bailey, S.K.; & Mosher, E.K. ESEA: The Office of Education administers a law. Syracuse: Syracuse University Press, 1968

Easton, D. A systems analysis of political life. New York: John Wiley & Sons, 1965

Kirst, M.W. Federal aid to education: who governs? In J.S. Berke & M.W. Kirst, Eds., Federal aid to education: who benefits? who governs? Lexington, Mass.: D.C. Heath, 1972.

Milstein, M.M. Impact and response: Federal aid and state education agencies. New York: Teachers College Press, 1976.

Murphy, J. Title I of ESEA: the politics of implementing Federal education reform. Harvard Education Review, 1971, 41, 35-63.

Murphy, J.T. The education bureaucracies implement novel policy: the politics of Title I of ESEA, 1965-1972. In A.P. Sindler, Ed., Policy and politics in America. Boston: Little, Brown and Company, 1973.

Murphy, J.T. State education agencies and discretionary funds: grease the squeaky wheel. Lexington, Mass.: D.C. Heath, 1974.

Van Meter, D.S.; & Van Horn, C.E. The policy implementation process: a conceptual framework. Administration and Society, 1975, 6, 445-488.

Weatherley, R.; & Lipsky, M. Street-level bureaucrats and institutional innovation: implementing special-education reform, Harvard Educational Review, 1977, 47, 171-197.

Wilken, W.H.; Callahan, J.J. Disparities in special education services: the need for better fiscal management. Washington, D.C.: National Conference of State Legislatures, 1976.

APPENDIX B

SUMMARY OF INFORMATION GATHERING

APPENDIX B

SUMMARY OF INFORMATION GATHERING

The Summary of Information Gathering exhibit, following this page, describes all informal interviews and other information gathering conducted during the study period. Each is categorized by respondent/observation type with totals for each type identified by individual study site.

The "General Education" category includes school board members, district level administrators and professional staff with primary responsibility in regular education. Principals interviewed in this category were administrators in regular elementary, middle, and senior high schools.

The "Special Education" category includes administrators, professional staff, and others whose primary responsibility or interest was in special education. Principals interviewed in this category were administrators in special education schools or centers devoted entirely to serving handicapped pupils. Some study sites did not have schools which served special education pupils only. The "external group/agency" type of interview in this category includes local advocacy groups and local health/social service agencies with interests in special education matters.

The "Conference and Meetings" category includes individual and group interviews with state legislative officials, state education agency officials and attendance at local district meetings where special education matters were the main topic of discussion. Telephone interviews were limited to follow-up discussion of information obtained during earlier face-to-face discussions. In a number of instances, it was necessary to utilize a telephone interview in lieu of an actual meeting because of the busy schedules of some high level administrators within a particular district.

Administrative and instructional titles and responsibilities varied in different states and within local school districts in the same state. Interview types were determined according to primary area of responsibility of the person being interviewed. For example, a resource person, therapist, or diagnostician, who spent the majority of his/her time teaching, was counted under the heading of "teacher". In other instances, such types of professional staff would be counted under the heading of "support services" because they spent

APPENDIX B

SUMMARY OF INFORMATION GATHERING

TYPE OF INTERVIEW	STATE/SITE												
	State A			State	State B			State	State C			State	Overall
	A1	A2	A3	Total	B1	B2	B3	Totals	C1	C2	C3	Totals	Total
GENERAL EDUCATION													
Board Member	3	-	4	7	1	3	5	9	-	1	-	1	17
Superintendent	1	5	2	8	2	1	3	6	-	-	2	2	16
Assistant/Regional Superintendent	1	9	2	11	3	1	-	4	1	10	4	15	30
Central Office Administrators	13	-	5	18	14	6	5	25	9	13	5	27	70
Principal/Assistant Principal	30	11	16	57	24	38	16	78	19	29	16	64	199
Guidance Personnel	12	4	4	20	-	1	-	1	2	7	1	10	31
Teacher	30	21	24	75	31	40	38	109	32	22	24	78	262
SPECIAL EDUCATION													
Director	7	-	2	9	14	11	16	41	15	4	2	21	71
Administrators	51		22	73	27	10	7	44	10	26	10	46	163
Principal/Assistant Principal	6	-	-	6	9	-	1	10	1	2	2	5	21
Support Services*	16	11	17	44	12	15	12	39	7	1	6	14	97
Teacher	32	22	26	80	47	66	42	155	26	33	20	79	314
Parents	2	3	5	10	2	6	5	13	2	5	4	11	34
External Groups/Agencies	16	5	1	22	15	4	7	26	10	1	4	15	63
CONFERENCES & MEETINGS													
State Education Agency	1	1	1	3	12	2	2	16	2	2	2	6	25
Board Meeting	1	3	4	8	-	-	5	5	1	1	-	2	15
Inservice Training	1	-	1	2	11	1	4	16	2	1	3	6	24
Screening/Placement/IEP	7	9	6	22	9	7	-	16	2	2	4	8	46
Legislative	-	-	-	-	7	-	2	9	1	1	1	3	12
Community/PTA	-	-	1	1	7	-	2	9	-	-	1	1	11
Telephone Interviews	9	6	5	20	5	7	6	18	6	15	5	26	64
TOTALS	239	110	147	496	252	219	178	649	148	176	116	440	1585

*Includes psychologists, social workers, pupil personnel workers, resource specialists, therapists, and building level supervisors whose primary responsibility was other than teaching.

only a small amount of their time teaching. At one rural site, the Assistant Superintendent for Instruction was responsible for special education as well as for Federal programs, budgets, and ESEA Title IV. Consequently, there are no interviews identified with the Director of Special Education at this site; only with the Assistant Superintendent. Reduced interview counts of a particular type at some sites are the result of differences in job titles or responsibilities and not the lack of contact with specific staff members.

Many interviews were conducted at an extremely important time within the districts, as they were experiencing change due to the new requirements. In one instance, parents were interviewed after they had just attended statewide hearings on P.L. 94-142. At other times, parents were interviewed directly after they attended IEP meetings. District administrators and directors of special education were interviewed after just completing a state monitoring team visit, or experiencing heated debate at a school board meeting, or having lost a due process hearing requested by a parent. These particular types of situations were sought out as they represented many of the real consequences associated with the implementation of P.L. 94-142.

Teacher interviews were conducted before, during, and after school depending upon district policy. The more intensive interviews with teachers were those which could be conducted without the presence of the building principal. Almost all principals were willing to have their staff interviewed without being present themselves. Many administration staff insisted on having the interviewer observe their area of responsibility first hand to understand better the difficulties they were experiencing. These included, for example, in-service sessions, teachers meetings, IEP meetings, safety inspection of specially equipped buses for handicapped pupils, and scheduling of testing sessions. Rapport developed quickly in those interview sessions where administrators and staff were highly competent in their duties and took pride in their work. Such openness greatly assisted the overall study effort.

APPENDIX C

DESCRIPTION OF THE SPECIAL EDUCATION PROCESS

APPENDIX C

DESCRIPTION OF THE SPECIAL EDUCATION PROCESS

All participating SEAs and LEAs implemented P.L. 94-142 generally in accordance with the Law and accompanying rules. Where different procedures were followed they could be attributed to formats previously used, prior conditions in the state, and/or SEA/LEA interpretations of the intent of the Law. In Exhibit 1 we display a synthesis of the special education process as observed in the nine LEAs. The flowchart emphasizes how children enter and exit special education in the participating school districts, the various procedural safeguards for ensuring due process, and the procedures employed for planning students' educational programs.

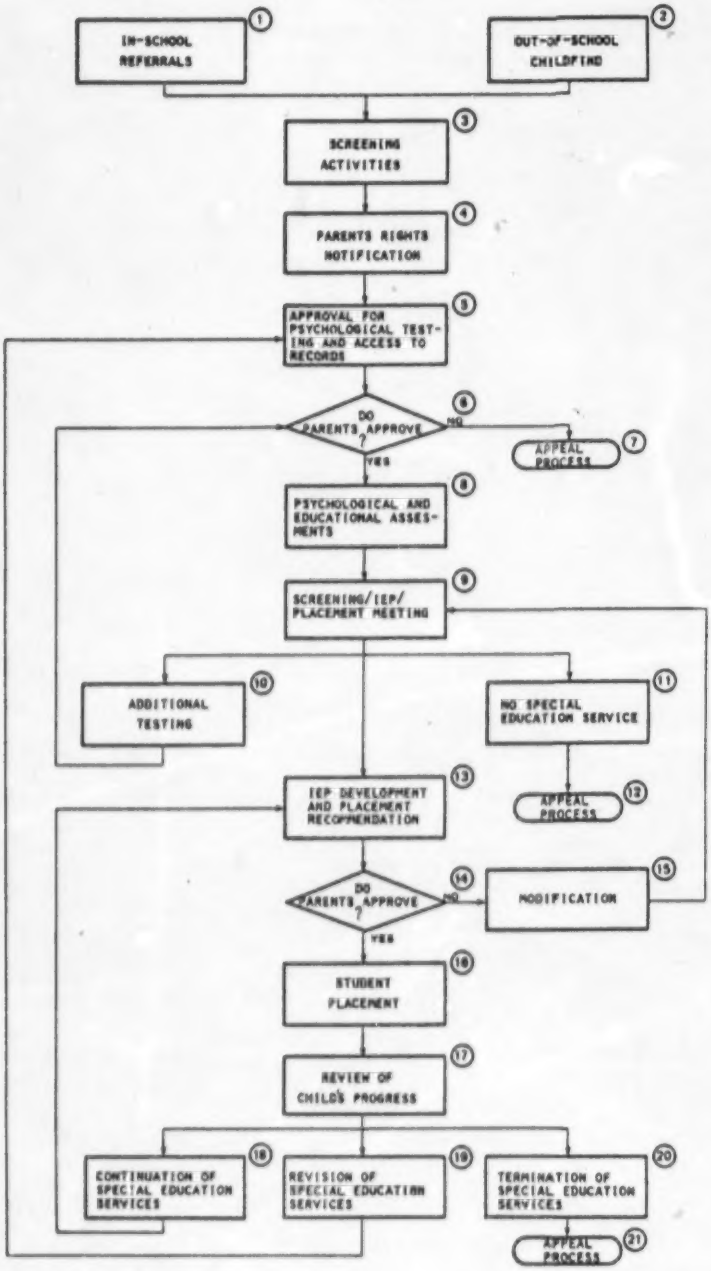
The provisions of P.L. 94-142 (e.g., IEP, LRE) are not discrete entities but rather are integrated into the special education procedure at various points. Some provisions, such as due process/ parental involvement, are related to most of the procedural steps and indeed were observed throughout the process. Each of the synthesized activities or processes are discussed below, with differences or exceptions related to setting and/or SEA influence noted.

1. In-School Referrals

The in-school referral process is generally separate from out-of-school childfind activities and has been part of the typical school's routine prior to P.L. 94-142. At the simplest level, the child's teacher contacts the principal, special education teacher, or support personnel because s/he is having difficulty teaching the child and needs assistance. Referrals of students by other building level staff has not been as common, but is now occurring more frequently as a result of P.L. 94-142.

In some cases, standardized testing conducted for other reporting purposes (including SEA standardized testing or competency testing) is used as a screening device to identify EMR and LD students who may have been overlooked. Often, regular teachers perceive assessments as a means to assess how adequately s/he is doing the job; as a result, the referral of the borderline cases occurs only when the teacher does not feel s/he can adequately help the student.

EXHIBIT I: FLOW CHART OF SPECIAL EDUCATION PROCESSES



In some sites, two different sets of staff are responsible for the two types of referrals, from screening activities up to the actual placement meeting. The type and intensity of assessments will vary according to who made the initial contact about the child. As districts are increasingly concerned about child "counts", the referral process and childfind are becoming better coordinated. In several of the sites, the same or similar referral forms and procedures are now being used.

2. Out-of-School Childfind

Activities undertaken to locate handicapped children from out-of-school sources vary considerably. Some sites coordinate efforts very closely with the SEA; others are more autonomous, especially if their perceived need is relatively low. The means to locate the children include: newspaper and magazine advertisements; radio and television announcements; meetings with various organizations, advocacy groups, and other agencies; mailings and handouts of brochures and leaflets; and posters. Each district uses a different combination of media campaigns. The primary focus of childfind activities during 1977-78 was the school age population. During 1978-79, this focus was expanded to include younger children, usually through arrangement with community health and social service agencies.

In all nine LEAs, staff attempt to make it as easy as possible for someone to contact them and to suggest a child in need of special services. One of the SEAs provides a toll-free number and operates referral centers at its own expense, so that if a child is located the appropriate information can be passed along to the LEA. One of the LEAs has installed a telephone answering machine and a private line devoted to childfind. There is an identifiable person and/or telephone number in all sites that can be contacted by interested parties.

3. Screening Activities

In all sites, prior to informing parents and conducting a formal assessment, LEA staff initiate some screening activities. The people who are contacted and type of information which is collected vary, depending upon the source of the "lead" on the child (i.e., whether in-school referral or out-of-school childfind). For an out-of-school lead, pertinent information is gathered from the person making the referral; the parents are contacted, if they are not the referring

party. In many cases, this is an initial step before the school is contacted for the appropriate assessment procedures. However, it is also possible that a different assessment process may take place; this may include the gathering of work samples and discussions with others who may know the child (e.g., pediatrician, principal, social worker). In some instances, limited standardized testing is conducted using achievement batteries. For some children with minor speech and hearing problems, the process is often less formal and involves little testing.

4. Parent Rights Notification

The process of informing parents of their rights varies considerably among the sites. In some, no formal mechanisms are apparent; school or district staff talk informally to parents describing what they are doing for their child. This may occur when the child is first suspected of having a problem or may wait until parents' permission is sought for testing and access to records. In other sites, signatures are requested to document the parent contact. In one urban site in 1977-78, registered letters were sent, at considerable expense to the district, to parents for documentation purposes; this practice has not been continued.

5. Approval for Psychological Testing and Access to Records

Written permission to conduct psychological testing and to gain access to records generally is sought from parents. The specific request may vary from "blanket" permissions for testing to permission to use specific assessment procedures and evaluation instruments. The smaller districts, mainly the rural sites, generally request "blanket" permission.

Some staff do not expect to receive written parent permission, assuming that, if the parent objects after being notified their child will be tested, they "will hear about it." In one of the rural sites, notification and "assumed permission" is based on a two-sentence letter stating that a change in their child's educational program is being considered and if the parents want more information they should contact the school.

6. Do Parents Approve?; 7. Appeal Process

Generally, parents do not disapprove of testing and very rarely disapprove of access to records. In the cases where they do not give their approval, some schools make use of the due process procedure. Parents frequently fear that their child will be identified as a special education student and will be stigmatized by the label -- educable mentally retarded, trainable mentally retarded, or emotionally disturbed.

One school district used the due process hearing procedure when a parent would not consent to a placement which the district recommended. The student was a physically handicapped child whom the parents wanted to keep in an institution for the severely handicapped. The special education staff felt the child could benefit from association with normal children in a regular setting. This hearing was the only one to occur in the district.

8. Psychological and Educational Assessments

Educational assessments are conducted and accumulated throughout the process, often beginning as soon as the child is suspected of having a problem. These educational assessments are often the basis for decisions in the screening process described in Step 3. School level administrative or support staff are generally responsible for gathering assessment information; regular and special education teachers collect work samples and provide results of teacher-made tests and standardized achievement tests which they have administered. In some sites where responsibility for psychological assessments and instructional delivery are in separate divisions, an additional step is necessary between requesting psychological services and obtaining parent approval.

The type and amount of psychological assessment varies by the source of referral and the sophistication of the school. If a psychologist initiates a referral, the evaluation which is conducted is usually quite sophisticated because of the psychologist's experience and training. When a teacher initiates a referral, the extent of the diagnostic "workup" is influenced by the teacher's experience. This often suggests a different evaluation strategy.

The requirements of non-discriminatory testing have resulted in a number of strategies. In sites with bilingual populations, and in some cases with hard-of-hearing populations, tests are translated or are given orally or through

"signing" or "finger spelling". In sites with large minority populations, the System of Multi-Cultural Pluristic Assessment (SOMPA) is being used to balance cultural differences. In these sites, some students who formerly would have been identified as EMR are now classified as "normal" and are being returned to or remain in regular education. In sites with a wider range of service options, this does not present as much of a problem, as the child may be eligible for other types of service (e.g., bilingual, compensatory education).

9. Screening/IEP/Placement Meeting

The specific procedures in Step 9 of the flowchart vary more across states than among sites within a state. Generally, a building administrator conducts the meeting with a special education teachers, a psychologist, the parent, and support staff, as needed, in attendance. The child's regular education teacher is present in some instances, but rarely contributes to the development of the IEP or placement decision. In some cases, there are a number of meetings to examine the test results and work samples, to develop IEPs for those students in need of special education, and to make placement decisions. In others, there is only one meeting and everything is accomplished at that time. Usually during this step, the IEP is developed by the special education teacher and the placement decision is made by the building principal.

Based on the outcome of the assessment reviews that take place during this step, one of three possible decisions is made: more testing, no special education service, or special education service.

10. Additional Testing

In a limited number of situations, additional testing is recommended before a decision is made if or where the child should be placed. Usually, parents are involved in this decision. More often than not, additional testing is conducted typically because parents are resisting the placement of their child in special education.

11. No Special Education Service Recommended; 12. Appeal Process

If the process has proceeded this far, special education is usually recommended. About 95% of the students discussed in the screening/IEP/placement

meeting are placed in special education and, for the remaining 5%, most have their placement delayed until more testing can be conducted, Parents are generally notified of their rights to appeal this decision; such appeals usually occur when parents believe they will have to pay for the services to be provided.

13. IEP DEVELOPMENT AND PLACEMENT RECOMMENDATION

By the time a student is the topic of a screening/IEP/placement meeting, there is about a 95% chance that an IEP will be developed and placement recommended for that student. The assessment activities that precede the convening of the IEP meeting are usually thorough enough such that little question exists of the need for special help. The meeting itself usually takes only 15 to 30 minutes, except in those few cases when there is some question of what services should be provided. Then the meeting may be lengthened by discussions about additional testing, appeals (if there is a decision to provide no services), or negotiation of suggested modifications by the parents.

The brevity of the meeting is usually attributable to the general strategy of not developing short-term instructional objectives during the meeting. When and how they are developed varies by site: some develop them before the meeting; most, after the child is placed. Because of concerns about compliance, one district special education director issued the policy that no IEP would be filled out before the meeting. This deterred the practice of writing down the IEP before the meeting, but resulted in teachers memorizing the instructional objectives, writing them on scratch paper, or using more general standard objectives, based on the student's handicap.

A positive result of the requirement to involve parents is that greater opportunities for school/parent interaction exist and much contact has been initiated. Parents are signing IEPs, showing acknowledgement of its contents, and are given the opportunity to review modifications. For most parents of special education students, the only time they talk with school staff is during IEP meetings. While some parents take a very active interest in their child's program, they are in the minority. Frustrated in their attempts to get parents involved, some schools set arbitrary cutoffs of three contact attempts; then they proceed without permission. Teachers spend much of their own time visiting parents at their homes.

The placement decision is usually influenced by services which are or will be available in the district. Most district officials and staff feel that some services are better than none, so they provide the best available services. In one state, there is a reporting procedure which identifies all students receiving only partial services. This is used as a planning device to increase and transfer staff and programs, where necessary.

14. Do Parents Approve?; 15. Modifications

To many district staff, parent approval or disapproval of IEPs and placements reflects the due process intended for parents. Parent disapproval is rare, as parents generally accept the professional judgment of the "trained educator". In cases when they do disapprove, the school will generally accommodate the parents' requests. On occasion, an additional meeting may take place to allow parent's dissents to be aired. To signify approval of the proposed educational plan and placement, parents sign a formal document.

16. Student Placement

The placement of the child is usually as specified in the recommendation of the screening/IEP/placement meeting. This is not the case when the assessment and placement recommendation is the responsibility of someone other than those who are responsible for instructional service delivery. This occurs in one state where assessment is conducted and placement decisions are partially made by an independent evaluation team. In other states, regional or state teams conduct a few assessments at the request of the LEAs. In these situations, LEAs may modify a child's placement if appropriate services are not available.

17. Review of Child's Program

Two types of program review occur: one focuses on short-term objectives; the other, on long-term goals. Reviews of short-term objectives occur as often as every few weeks and are used for continuous monitoring and updating of IEPs. In some, particularly suburban, sites, this was similar to the district's individualized education strategy before P.L. 94-142. In others, particularly rural sites, the Law was the first time the process had been formalized. The review process varied by setting: urban districts generated more paperwork to document

the review procedure; suburban districts' reviews were more frequent and emphasized updating; in two of the three rural districts, the minimal paper requirements were met with less emphasis placed upon updates.

The review of long-term goals varied according to state and local policies. In all sites, IEPs are reviewed annually, but one state requires only that each student's program be reviewed at least every three years. Districts comply by reassessing one-third of the students each spring. Reviews and assessments occur more frequently for emotionally disturbed students who are placed in alternative education programs; staff judgment is a large part of the assessment and student conditions often change quickly. In the other two states, districts conduct assessments every year.

The initial assessment for a child entering special education is often more rigorous than a reassessment of a child who is already in special education. In the initial assessment, a wider variety of tests are usually administered as the evaluation team attempts to identify all of the child's needs. Reassessments genera''y focus on those areas where remediation was sought and usually use tests that are not standarized. In one state, initial assessments are conducted by assessment teams with a minimum of four members; because of the large workloads, students are reexamined on a scheduled basis with two-member teams.

18. Continuation of Special Education Placement

One of three decisions results from the review of a child's progress. The most common is to continue the child's existing special education program, which may include movement to the next grade level in the child's regular classroom. General goals are usually developed by the special education teacher and may be modified based on student progress. The short-term objectives for the next year may also be developed by a child's teacher and brought to the screening/IEP/placement meeting for review and acceptance of the parents. The same procedures are used as when the child was initially placed, but the special education teacher has now observed the child for at least part of a year.

19. Revision of Special Education Placement

This decision alternative was exercised more during the 1978-79 school year as more service options became available. Placement revisions moved students from self-contained classrooms to resource rooms; from homebound

placements to newly-opened programs; from elementary or intermediate schools to the next level; and generally from more restrictive environments to less restrictive environments. The decision is made in much the same way as during an initial referral. Educational assessments are accumulated while the child is placed and additional psychological tests may be requested depending on the nature of the handicapping condition.

20. Termination of Special Education Services; 21. Appeal Process

As a student's problem is remediated (as evidenced by the review of his/her progress), termination of special education services may be recommended. As with the situation in which a child is not recommended for special education services (Step 11), the appeal process is rarely used. "Termination" for a child may also occur through graduation. In two of the states, a child may receive a "certificate of attendance"; in the third state, no such certificate exists at present.